



Date: September 17, 6:30 p.m.

Location: Holiday Inn City Centre, Pitman Block A

Attendees: Crystal Joshua, Denise Coogan, Andrew Frisbie, Father Dan Gartland, Dave Henderson, Pat Jarboe, Mike Massonne, Steve Meyer, Anthony Schenck, Andrea Stutsman

Subject: Stormwater Technical Advisory Committee

1. Welcome

Mike Massonne gave a brief overview of the agenda and shared feedback from the first stormwater ordinance reading at the September 14 Common Council meeting. He thanked members in attendance for their time and recognized guests David Henderson of West Lafayette and Andrew Frisbie of Wabash National.

2. Ordinance Readings to Common Council

Massonne said Mayor Roswarski, engineering staff and consultants presented the stormwater ordinance, proposed capital improvement projects, and operations and maintenance at the September 14 council meeting. He said the associated costs of the stormwater program along with National Pollutant Discharge Elimination System (NPDES) Permit requirements demonstrated the financial need of the stormwater program.

Lafayette's joint shared costs as part of the city's Municipal Separate Storm Sewer System (MS4) Permit are approximately \$45,195, and individual costs also must be considered. Massonne said shared costs include training, public outreach and education and ordinance review/revision, among other activities.

Also part of the stormwater program operations and maintenance is estimated at \$686,425 annually, which will be financed over the term of the program. Massonne added that currently 1 to 10 percent of assets in the stormwater system are currently maintained each year, and the city's goal is to maintain 20 percent per year. At 20 percent per year over five years, the entire system would be maintained, and the city would have an opportunity to rehabilitate the system and identify trouble areas earlier. (slides 1-4)



Capital projects are estimated at \$14,967,907, and will be financed over the term of the stormwater program. Massonne described the proposed capital improvement projects, and said that many will help the city to comply with its Municipal Separate Storm Sewer System (MS4) Permit. He said that the permit requires the city to examine existing water detention facilities and incorporate water quality practices. The Armstrong Park Regional Detention Basin Retrofit and Vinton Woods Detention Pond projects will meet that requirement. In addition, the Orchard Heights Stormwater Improvement project would help the city to remove inflow and infiltration into the system, which will reduce raw sewage backups into homes. Finally, Massonne mentioned stormwater outfall repairs, which will help the city to comply with the illicit discharge detection/elimination Minimum Control Measure (MCM) for the permit. (slide 5)

Benefits of the stormwater program also were presented to the council. At the meeting, Mayor Roswarski said that water quality and drainage improvements are the “right thing to do.” Massonne said some may be concerned that a user fee would drive business away, but with the stormwater program, he said new businesses and residents can be assured Lafayette has strong infrastructure. He added that dedicated stormwater revenue will lead to a strong, more robust program, while also achieving compliance with state and federal regulations. Massonne said stormwater regulations aren’t going away, and future water quality requirements may even become more rigorous. (slide 6)

Lafayette is currently negotiating the term of completion for a \$179 million Combined Sewer Overflow Long Term Control Plan (LTCP). Massonne said in the past, sanitary user fees have been used when available to fund stormwater activities, but in 2010 and beyond, all sanitary funds will be needed to fund the LTCP. As a result, the city proposed a stormwater user fee for consideration by the council.

To establish a fair and equitable user fee, Lafayette has established a base billing unit, and one Equivalent Residential Unit (ERU) equals 3,200 square feet. Based on the Tippecanoe County Unified Zoning Ordinance, the city estimated approximately 66,000 ERUs systemwide. The total estimated ERUs include maximum allowable building coverage approved by the Unified Zoning Ordinance (UZO), but do not account for all impervious surface areas such as an asphalt parking lot. (slide 7)

Massonne said that Lafayette is currently measuring non-residential parcels for actual impervious surface because the city found that the UZO estimate may be above or below the actual impervious surface measurement, in some cases.





A residential parcel is defined as a single structure with no more than two dwelling units, and one residential parcel equals one ERU. Massonne said the city recommended a \$5 monthly user fee for all parcels with one ERU or less of impervious surface. (slide 8)

Massonne said Lafayette elected to measure impervious surface area on non-residential parcels, and the measurement will be completed in the unit of square feet. He said there are approximately 8,800 non-residential parcels, and all will be measured before bills are prepared. The following formula will be used to calculate non-residential user fees:

$\text{Measured Impervious Surface} / 3,200 \text{ square feet} \times \text{Monthly Fee.}$

(slide 9)

Lafayette recommended to the council that the user fee be implemented January 1, 2010, with the first bill being mailed in April or May 2010. The city plans to mail two statements per year, and each will include six months of service.

At the September 14 reading, the city provided the Program Study and Rate Study to the Common Council. Council members said they recognized the need for the stormwater capital program, and the demonstrated support for the proposed \$5 user fee. The ordinance was not referred to a committee. Massonne said the public expressed some concern about an additional expense for citizens on a fixed incomes and asked city to consider options for savings in other areas to lower the stormwater fee. (slides 10-11)

Massonne said to accomplish everything in a 5-year period, financial analysts determined that Lafayette would need a user fee of \$6.70 per month. Mayor Roswarski said \$6.70 was too high at the council meeting. Massonne said he agreed that \$6.70 is high compared to other Indiana cities. He said despite the mayor's opinion, some councilors did consider \$6.70, but \$5 was the preferred rate.

The public hearing and second stormwater ordinance will be held October 5 at 7 p.m. The public will have an opportunity to speak about the proposed user fee, and the council will discuss and vote on the ordinance later in the evening. If the stormwater user fee passes, it may be implemented in January 2010. (slide 12)

Since the August meeting of the Stormwater Technical Advisory Committee, Lafayette has begun outreach for the proposed stormwater user fee. Jenny Miller, Crystal Joshua and Massonne are in the process of meeting with stormwater customers with an estimated bill of \$20,000 or more. Massonne said the top customers have provided valuable feedback including





interest in a credit program and willingness to reduce impervious surface in exchange for a reduced stormwater bill. He said, in all cases, the top customers were glad to be given advanced notice of the fee. (slide 12-13)

Steve Meyer asked how Lafayette will track impervious surface reductions.

Crystal Joshua said that type of work requires a building permit, so when the permit is acquired, the city would be made aware that impervious surface measurements are changing on a parcel. Once the work is complete, the engineering department would track reductions or increases and adjust the next stormwater bill.

Meyer asked how the city will communicate with parcel owners about impervious surface reductions.

Massonne said the information will be included in the stormwater policy document, which will be available online. The document will address ways to reduce the fee, how to contact the city and other pertinent information.

Meyer asked if the city could print information about fee reduction on the stormwater bill.

Joshua said printing on the stormwater bill is a possibility. She said an engineer involved in any project also would review the stormwater ordinance, and the impervious surface amount will be considered when the project is designed.

Frisbie asked if the city would offer a fee reduction for detention ponds.

Joshua said detention ponds have been required for five years, and flood control has been required for almost 20 years. The city's intention is to consider the rate structure for Best Management Practices (BMPs) above and beyond the current ordinance, she said. Joshua explained that the mayor is definitely in favor of a rate structure program for treating stormwater or discharging it to a legal drain.

Frisbie said he would appreciate suggestions on additional ways to reduce the stormwater bill.

Massonne said to be fair, an incentive program must consider the total ERUs of impervious surface and then provide fee reductions based on a reduction of the contributing impervious surface.





Frisbie said some organizations are totally unaware of what their estimated bill would be. He asked what else the city is doing to get the word out to the public.

Joshua said the Chamber of Commerce has received lots of phone calls, and a meeting is scheduled for chamber members to learn about the user fee. In addition, she said that meetings with top customers, neighborhood groups and nonprofit organizations all are planned.

Massonne said an organization also must determine if it's worthwhile to participate in an incentive program. He said the benefit to the community is improved water quality/quantity management, but the cost to install a BMP may not be accounted for in reduced stormwater fees.

Father Dan Gartland asked if government buildings and streets will be assessed a user fee.

Massonne noted that government buildings will be assessed, but parcels comprised of public streets and railroads will not be assessed because they are being considered as infrastructure by the proposed ordinance.

Gartland asked if the city pays user fees, would the additional cost then be returned to citizens through increased taxes.

Meyer said he was unsure of if the user fee would be paid for through taxes.

Gartland said schools will pay, and the parking lots are very large.

3. Top Stormwater Customers

Massonne said top non-residential customers include development, industry, K-12 education, city government, religious organizations and nonprofit organizations. He said the city began meeting with top customers in September, and meetings were scheduled for organizations with an initial estimated bill of \$20,000 or more. (slide 16)

Massonne said the first question of many customers is how the stormwater bill can be reduced. Simon Property Group knew the stormwater user fee was coming and are discussing redevelopment plans in Lafayette and other communities. He said another top customer was interested in connecting to the stormwater system as part of the proposed capital program.



Massonne said the program benefit to all customers is that money collected in Lafayette stays in Lafayette for stormwater improvements. (slide 17)

Presentation materials for top customer meetings included a memo detailing the estimated stormwater user fee, parcel map and list, stormwater background information and frequently asked questions, and stormwater project fact sheets. (slides 18-19)

Massonne said the city will measure impervious surface for all non-residential parcels before the first bill is mailed. He said the county's property records are sometimes not updated for as long as six months, but the city is working with the county for the best available data. When billing is implemented, the city's database will likely update before the county's information, he added.

During meetings, top customers requested parcel maps. In addition, they asked how the stormwater program would benefit them. They also requested a timeline for billing and asked what credits would be available. Finally, some indicated that taking advantage of program synergies would be desirable. (slide 20)

4. Thank You

Massonne thanked Stormwater Technical Advisory Committee members for their input over the past year. He said the city appreciated members taking time out of busy schedules to attend, and a lot of the input provided had been incorporated into the stormwater ordinance. He added that the city wanted capital program and user fee development to be a transparent process, and they achieved it. Crystal Joshua thanked members and distributed certificates of appreciation. (slide 22)

5. Future Meetings to be Held Quarterly

Massonne said the next meeting would be held in late October or early November. He said the committee may transition to a quarterly or six-month meeting schedule. (slide 23)

Pat Jarboe said he thought the user fee would be implemented in 2010, and the big question in the community will be how to reduce the stormwater bill. He asked what kinds of programs are being implemented across the state.



Massonne said there is a wide range of credits that can be implemented. They can be used to encourage existing development to install BMPs, but some communities struggle with credit programs because they can be very expensive to administer.

Massonne said a self-certified program with the work being pushed out to the property owner may be a good fit for Lafayette. He added that programs administered by the city result in additional effort, may create bureaucracy and may result in additional expenses for the stormwater program.

Jarboe asked if a credit program would be incorporated into the ordinance.

Joshua said she didn't think it would, but credits would be addressed in the policy document.

Massonne said the council could not amend an ordinance to increase the fee, but it could amend it decrease the fee. The council also could require another reading after October 5 to address the user fee rate or a credit program, he explained.

Frisbie asked if pervious pavement was defined in the ordinance.

Joshua said it's spelled out in the ordinance and other materials that define it are available on the city Web site.

Massonne stressed that the city is completing impervious surface measurements only for non-residential parcels.

Joshua adjourned the meeting.

